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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/660,441      | 09/10/2003  | Ed Rejda             | STL 11004.00        | 4889             |

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Intellectual Property Department  
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| EXAMINER |
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MCDONALD, RODNEY GLENN

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| ART UNIT | PAPER NUMBER |
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1753

DATE MAILED: 02/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/660,441

Applicant(s)

REJDA ET AL.

Examiner

Rodney G. McDonald

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11-13, 17-20 and 22-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-13, 17-20 and 22-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1, 3-9, 11-13, 17, 19, 20, 22-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Libby et al. (U.S. Pat. 5,916,424) in view of Williams et al. (U.S. Pat. 6,238,582) and Wechsung et al. (U.S. Pat. 4,085,022).

Regarding claim 1, Libby et al. teach an apparatus in Fig. 1 for processing magnetic recording heads (i.e. sliders). (See Abstract) Libby et al. teach at least one fully exposed substrate 30 located on substrate holder. (Column 10 lines 30-38) Figs. 2 and 3 shows the head having an air bearing surface. (Figs. 2 and 3; Column 7 lines 31-43) A plurality of materials will be exposed on the air bearing surface as shown in

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Fig. 3. (See Fig. 3; Column 7 lines 41-44) A plurality of etching devices are present in the apparatus with the physical component of etching being provided by a focused ion beam source and the chemical etching component being provided by a reactant delivery material system. (Column 8 lines 12-17; Column 8 lines 49-58) Controllers are provided for the physical etch component and chemical etch component in the form of valve elements and CPU 52. (Column 9 lines 1-3, lines 10-21) The system operates to perform uniform etching so that selected areas of material are removed. (Column 10 lines 17-21)

Regarding claim 17, the air bearing surface has transducing elements such as poles 82 and 84. (See Fig. 3; Column 7 lines 40-64) All other features are discussed above.

Regarding claims 5, 21, the reactant delivery system can be considered a localized gas flood apparatus. (Column 8 lines 49-58)

Regarding claims 9, 25, the controller can be attached to the substrate holder, which moves the substrate holder according to control signals. (Column 10 lines 30-40)

Regarding claims 10, 26, the physical etch device can be a focused ion beam. (Column 8 lines 12-16)

Regarding claims 11, 27, a probe 28 is attached between the substrate and the controller to generate an image of the workpiece which sends signals to the controller for removing selected portions of the recording head surface to form a precise geometric footprint of the recording head pole-tip assembly. (Column 8 lines 41-43; Column 10 lines 17-40)

Regarding claims 12, 28, the controller monitors a property level such as pole tip characteristics to form a precise geometric footprint of the pole tip. (Column 10 lines 17-21)

Regarding claim 33, Libby et al. teach an apparatus and method in Fig. 1 for processing magnetic recording heads (i.e. sliders). (See Abstract) Libby et al. teach at least one fully exposed substrate 30 located on substrate holder. (Column 10 lines 30-38) Figs. 2 and 3 shows the head having an air bearing surface. (Figs. 2 and 3; Column 7 lines 31-43) A plurality of materials will be exposed on the air bearing surface as shown in Fig. 3. (See Fig. 3; Column 7 lines 41-44) A plurality of etching devices are present in the apparatus with the physical component of etching being provided by a focused ion beam source and the chemical etching component being provided by a reactant delivery material system. (Column 8 lines 12-17; Column 8 lines 49-58) Controllers are provided for the physical etch component and chemical etch component in the form of valve elements and CPU 52. (Column 9 lines 1-3, lines 10-21) The system operates to perform uniform etching so that selected areas of material are removed. (Column 10 lines 17-21) The air bearing surface has transducing elements such as poles 82 and 84. (See Fig. 3; Column 7 lines 40-64) Utilizing pattern recognition signals, which are monitored during etching milling is carried out until the geometric pattern is milled to trim a pole tip. (Column 13 lines 26-68; Column 14 lines 1-68; Column 15 lines 13)

The differences between Libby et al. and the present claims is that the use of a broad ion beam source (Claim 1), the process gas for the physical etch component is

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not discussed (Claims 3, 19), the energy of the physical etch component is not discussed (Claims 4, 20), the process gas for the chemical etch component is not discussed (Claims 6, 7, 22, 23), the energy of the chemical etch component is not discussed (Claims 8, 24), and having a plurality of substrates attached to the substrate holder is not discussed (Claims 9, 25).

Regarding the process gas for the physical etch component, Williams et al. teach utilizing Ar as the physical etch component when treating magnetic heads. (Column 9 lines 14-17)

Regarding the energy of the physical etch component, Williams teach that the energy for the physical etch component should be in the range of 500-1000 eV. (Column 8 lines 33-35)

Regarding the process gas for the chemical etch component, Williams teach that oxygen can be used as a gas for the chemical etch component. (Column 9 lines 14-17)

Regarding the energy of the chemical etch component, Williams recognize that utilizing a lower energy such as 300 eV will reduce sputtering effects and enhance the chemical effects. (Column 14 lines 54-68; Column 15 lines 1-11)

Regarding the substrate holder holding a plurality of substrates, Williams recognize that a substrate holder may be implemented for a single substrate or a multiple of substrates. (Column 5 lines 57-59)

The motivation for utilizing particular physical and chemical etch components at particular energies on a plurality of substrates is that it allows for selectively etching components on a substrate. (Column 4 lines 42-49)

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Regarding the broad ion beam, Wechsung et al. teach a broad beam ion source directed at a substrate. (See Figure 1)

The motivation for utilizing a broad beam ion source is that it allows for accurate control of the ion etching. (Column 2 lines 1-9)

Regarding the shutter, Wechsung et al. teach utilizing a shutter 14 in front of an etching source with a broad ion beam. Upon completion of etching a shutter moves to block the etching source through a control means. (Column 3 lines 33-68)

The motivation for positioning a shutter between an etching device is that it allows for accurate control of ion etching. (Column 2 lines 7-10)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Libby et al. by utilizing a particular process gas for the physical etch component, a particular energy for the physical etch component, utilizing a process gas for the chemical etch component, utilizing a particular energy of the chemical etch component and utilizing a plurality of substrates attached to the substrate holder as taught by Williams et al. and utilizing a broad beam ion source and utilizing a shutter as taught by Wechsung et al. because it allows for selectively etching components on a substrate.

Claims 2 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Libby et al. in view of Williams et al. and Wechsung et al. as applied to claims 1, 3-9, 11-13, 17, 19, 20, 22-33 above, and further in view of Sasaki et al. (U.S. Pat. 6,163,436).

The differences not yet discussed is where the magnetic head has a first portion of AlTiC, a second portion of transducing materials and a third portion of alumina.

Sasaki et al. teach that a magnetic head has a transducing portion (Column 1 lines 10-14), a TiAlC portion (Column 2 lines 22-26) and an alumina portion and can be treated by milling. (Column 9 lines 18-33)

The motivation for utilizing a magnetic head with these elements is that it allows for improved performance of the head. (Column 1 lines 20-25)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have utilized a first portion of AlTiC, a second portion of transducing materials and a third portion of alumina as taught by Sasaki et al. because it allows for improved performance of the head.

### ***Response to Arguments***

Applicant's arguments filed November 15, 2005 have been fully considered but they are not persuasive.

In response to the argument that Libby does not teach directing a physical reactant and chemical reactant at the entire air bearing surface, it is argued that Libby et al. do teach "directing" the physical reactant and chemical reactant at the entire air bearing surface in the sense that it provided gas or ions across the entire surface. While Libby shows localized etching in an area it is believed that the word "directing" suggests this. (See Libby et al. discussed above)

In response to the argument that Libby et al. does not teach a first etch device capable of a physical etch and a second etch device capable of both a chemical and



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physical etch, it is argued that Libby et al. shows a first etch device capable of a physical etch and a chemical flood device capable of a physical and chemical etch if as taught by Williams oxygen is used because oxygen will provided both a physical and chemical etch. (See Libby et al. and Williams discussed above)

In response to the argument that Libby et al. does not teach anything about uniform etch rate, it is argued that the pole tip is etched uniformly in order to produce an even surface. (See Libby et al. discussed above)

In response to the argument that none of the references teach a physical and chemical etch device that provides a uniform etch rate through alumina, AlTiC and transducing materials, it is argued that Libby et al. teach a physical and chemical etch device that will produce a uniform etch rate as discussed above. (See Libby et al. discussed above)

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any


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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney G. McDonald whose telephone number is 571-272-1340. The examiner can normally be reached on M- Th with Every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nam X. Nguyen can be reached on 571-272-1342. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Rodney G. McDonald  
Primary Examiner  
Art Unit 1753

RM  
January 30, 2005